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2020 MAR 19 PM 2:20

U.S. MAGISTRATE JUDGE

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff

vs.

LOUIS DAMATO,

Defendant.

COMPLAINT

Magistrate No. 2:20-mj-00221-DJA

VIOLATIONS:

18 U.S.C. § 115(a)(1)(B) – Threats Against
United States Official

18 U.S.C. § 875(c) – Interstate Threats

BEFORE the United States Magistrate Judge, Las Vegas, Nevada, the undersigned
Complainant, being duly sworn, deposes and states:

Count One

(Threats Against United States Official)

On or about March 16, 2020, in the District of Nevada,

LOUIS DAMATO

threatened to assault and murder United States Representative Dina Titus, with the intent to
impede, intimidate, and interfere with Representative Titus while engaged in performance of
official duties, and to retaliate against Representative Titus on account of the performance of
official duties, all in violation of Title 18, United States Code, Section 115(a)(1)(B).

Count Two
(Interstate Threats)

On or about March 16, 2020, in the District of Nevada,

LOUIS DAMATO,

knowingly and willfully transmitted in interstate commerce from the State of Nevada to Washington, D.C., a communication to United States Representative Dina Titus, and the communication contained a threat to injure Representative Dina Titus, all in violation of Title 18, United States Code, Section 875(c).

INTRODUCTION

1. I am a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI") and have employed by the FBI since 2016. I am currently assigned to the Las Vegas FBI Joint Terrorism Taskforce ("JTTF") and I am responsible for investigating threats to life. Before joining the FBI, I was a State Trooper, employed by the Ohio State Highway Patrol for five years. In that capacity I was charged with investigating multiple violations to include traffic control violations, narcotics, injury, fatal and property crashes as well as responding to calls for service. I was assigned to the Criminal Patrol Team, a specialized drug investigations unit for two years and received annual high-risk management training. I have received basic, advanced, and on the job training in investigations of cases involving threat to life matters. Before joining the Ohio State Highway Patrol, I completed my bachelor's degree in criminal justice, in 2011.

2. The following information contained within this criminal complaint is based upon my participation in this investigation or information provided to me by other law enforcement, including the United States Capitol Police and the Las Vegas Metropolitan Police Department ("LVMPD"). Because this Affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning

1 this investigation. I have set forth only those facts that I believe are necessary to establish
 2 probable cause for the above listed offense. All times noted are approximate.

3 This affidavit is made in support of a criminal complaint charging Louis DAMATO
 4 ("DAMATO") with violations of 18 U.S.C. §§ 115(a)(1)(B) and 875(c). Title 18, United States
 5 Code, Section 115(a)(1)(B) makes it a crime to threaten to assault or murder a United States
 6 official, with the intent to impede intimidate or interfere with such official while engaged in the
 7 performance of official duties or with the intent to retaliate against such official on account of
 8 the performance of official duties. A Member of Congress is a United States official within the
 9 meaning of 18 U.S.C. § 115(c)(4). Title 18, United States Code, Section 875(c) makes it a crime
 10 to transmit in interstate commerce any communication containing a threat to injure the person
 11 of another.

12 PROBABLE CAUSE

13 3. On or about March 16, 2019, at 6:46 a.m. (EST) the Washington, D.C.
 14 Congressional offices of United States Representative Dina Titus received a threatening
 15 voicemail that stated:

16 You fucking whore you know who this is because I've been fucking tracing your
 17 phone calls you've been calling the police. I've been calling the police since four
 18 o'clock today. It's one three four in the morning you had me falsely evicted you
 19 have been abusing the police force here that have been abusing me. So guess what?
 20 I bought a fucking gun ok I'm coming to DC to blow your fucking head off! Send
 21 the police for me cause I can't get them to come out. So maybe if I threaten your
 22 fucking life and it's not a threat whore it's a promise. . . . 18 terms you want? Fuck
 you I'll blow your fucking head off before you can get to your 18 term and I won't
 lose a vote because Donald Trump told me to tell you that you skank. . . . I'll
 fucking have you removed from the face of the earth and they'll never know you
 existed and that's a promise whore tumbleweed Titus nobody will miss you and I
 won't lose a vote.

23 4. The phone number used to make this call was XXX-XXX-7427 (the "Target
 24 Telephone"). On March 16, 2020, at approximately 11:30 a.m. (EST), United States Capitol

1 Police Detective Robert Flock spoke with AT&T Technician Christine (Last Name Unknown)
2 and she provided the following subscriber information over the phone for the Target
3 Telephone: Louis A. Damato, XXXX Keating Circle, Las Vegas, Nevada 89147. Christine
4 also confirmed the account was active. On March 16, 2020, at approximately 12:15 p.m.
5 (EST), Detective Flock received a telephonic ping for Target Telephone with a longitude of
6 W115.33277 and a latitude of N36.16212. Detective Flock determined this location to be
7 near Costco, 801 South Pavilion Center Drive, Las Vegas, Nevada 89144. At approximately
8 1:58 p.m. (EST), Detective Flock received a second telephonic ping for the Target Telephone
9 with a longitude of W115.33292 and a latitude of N36.15767. Detective Flock determined
10 this location to be near Red Rock Resort, 11011 West Charleston Boulevard, Las Vegas,
11 Nevada 89135.
12

13 5. LVMPD officers determined that DAMATO was a registered guest at Red Rock
14 Resort and that he provided the Target Telephone to hotel registration personnel during check
15 in. Officers located and arrested DAMATO at the valet station. LVMPD Detective Grant
16 Duffin read DAMATO his Miranda rights and DAMATO agreed to answer questions.
17 DAMATO admitted that he had been calling Representative Titus' office for several days and
18 that he had called her office that morning. DAMATO stated that during one of the calls, he left
19 a message that he would be able to shoot Representative Titus on Fifth Avenue and not lose a
20 vote. DAMATO stated that he planned on running against Representative Titus and taking her
21 seat.

22 ///

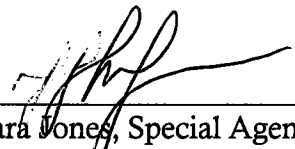
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CONCLUSION

6. Based on the above facts, I believe there is probable cause that DAMATO did threaten to assault and murder a United States official, namely United States Representative Dena Titus, with the intent to impede, intimidate, or interfere with such United States official, while engaged in the performance of official duties or with the intent to retaliate against such United States official on the account of the performance of official duties, in violation 18 U.S.C. § 115(a)(1)(B). Further, there is probable cause that DAMATO did transmit in interstate commerce a communication containing a threat to injure and kill United States Representative Dena Titus, in violation of 18 U.S.C. § 875(c).

Respectfully submitted,


Tieara Jones, Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone on 19th day of March 2020.


UNITED STATES MAGISTRATE JUDGE